

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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5 BOROUGH PAWN, LLC., RUBEN D. CABRERA,  
REBECCA CABRERA and BRIAN CABRERA

**NOTICE OF MOTION**

Plaintiff, 08 Civ 3837 (CMM)

-against-

THE CITY OF NEW YORK, NEW YORK CITY POLICE  
DEPARTMENT, COMMISSIONER OF POLICE  
RAYMOND KELLY and SERGEANT RON MARTI

Defendants.

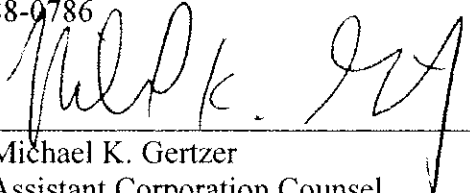
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**PLEASE TAKE NOTICE** that upon all prior pleadings and proceedings had herein, defendants City of New York, NYC Police Department, Police Commissioner Raymond Kelly and Sergeant Ron Marti will move this Court, before the Honorable Colleen M. McMahon, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, on a date directed by the Court, for a order pursuant to Federal Rule of Civil Procedure 56 granting summary judgment on behalf of defendants Raymond Kelly and Sgt. Marti on the basis of the doctrine of qualified immunity.

**PLEASE TAKE FURTHER NOTICE**, that, defendants are to serve their supporting motion papers, including a memorandum of law, by July 30, 2008, and plaintiffs shall serve their opposition papers, if any, pursuant to the rules of this Court.

Dated: New York, New York  
June 30, 2008

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By:

  
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(by ECF)